

## United States District Court, Northern District of Illinois

|                                               |                                                        |                                               |                 |
|-----------------------------------------------|--------------------------------------------------------|-----------------------------------------------|-----------------|
| Name of Assigned Judge<br>or Magistrate Judge | Ruben Castillo                                         | Sitting Judge if Other<br>than Assigned Judge |                 |
| <b>CASE NUMBER</b>                            | 08 C 4113                                              | <b>DATE</b>                                   | August 15, 2008 |
| <b>CASE<br/>TITLE</b>                         | U.S. ex rel. Antonio Thomas (B-32607) v. Donald Hulick |                                               |                 |

**DOCKET ENTRY TEXT:**

Petitioner's motion for leave to proceed *in forma pauperis* [#4] is denied as moot, given that he has paid the \$5.00 filing fee. Petitioner's motion for the appointment of counsel [#5] is denied at this time. Respondent has 30 days from the date of this order to answer the petition or otherwise plead.

■ [For further details see text below.]

Docketing to mail notices.

**STATEMENT**

Petitioner Antonio Thomas (B-32607), a state prisoner at Menard Correctional Center, has filed a *pro se* petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Petitioner challenges his 2001 conviction for aggravated kidnapping, and argues that: his trial and appellate attorneys were ineffective, testimony of witnesses was improperly admitted at trial, and the evidence was insufficient to prove him guilty beyond a reasonable doubt. Petitioner having paid the \$5.00 filing fee, his motion to proceed *in forma pauperis* is denied as moot.

Respondent is ordered to answer or otherwise plead to the petition within thirty days of the date this order is entered on the clerk's docket.

Plaintiff's motion for the appointment of counsel is denied at this time. Although the court may appoint counsel for an evidentiary hearing or at any time if justice requires that petitioner be represented by counsel, *see* Rule 8, Rules Governing Section 2254 Cases, counsel is not needed at this time.

Petitioner is instructed to file all future papers concerning this action with the Clerk of Court in care of the Prisoner Correspondent. Petitioner must provide the court with the original plus a judge's copy (including a complete copy of any exhibits) of every document filed. In addition, petitioner must send an exact copy of any court filing to the Chief, Criminal Appeals Division, Attorney General's Office, 100 West Randolph Street, 12th Floor, Chicago, Illinois 60601. Every document filed by petitioner must include a certificate of service stating to whom exact copies were sent and the date of mailing. Any paper that is sent directly to the judge or that otherwise fails to comply with these instructions may be disregarded by the court or returned to petitioner.

isk